

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK A. SMITH,

No. C 08-4975 SI (pr)

Plaintiff,

ORDER OF TRANSFER

v.

MARK ROELKE,

Defendant.

Mark A. Smith filed this civil rights action under 42 U.S.C. § 1983, complaining of acts and omissions that occurred in Solano County and while he was housed at the Solano County Jail. The defendant apparently resides in Vallejo, a city located in Solano County. Solano County is within the venue of the Eastern District of California. Venue therefore properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

Dated: November 5, 2008



SUSAN ILLSTON
United States District Judge